

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SERGIO RODRIGUEZ RUIZ,

Defendant.

8:16CR215

ORDER

Defendant Sergio Rodriguez Ruiz appeared before the court on August 31, 2018 on a Petition for Offender Under Supervision [27]. The defendant was represented by CJA counsel Karen C. Hicks, and the United States was represented by Assistant U.S. Attorney Russell X. Mayer.

A preliminary examination was held. The court finds there is probable cause to believe the violation has occurred and that the defendant has violated the conditions of his supervised release as alleged. The defendant will be held to answer for a final dispositional hearing before Chief Judge Smith Camp.

A detention hearing was held. Since it is the defendant's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger, the court finds the defendant has failed to carry his burden and that he should be detained pending a dispositional hearing before Chief Judge Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing will be held before Chief Judge Smith Camp in Courtroom No. 2, Third Floor, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on October 18, 2018, at 11:00 a.m. The defendant must be present in person.

2. The defendant, Sergio Rodriguez Ruiz, is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 5th day of September, 2018.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge